IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5873 OF 2005

Shri Prakash Packaging Industries
& Ors. .. Petitioners.

Versus

Rupee Co-operative Bank & Ors. ..Respondents.

Shri P.M.Pradhan for the petitioners.

Shri K.V. Tambe for the Respondent No.1.

CORAM : S. A. BOBDE, J.

DATED : 12TH SEPTEMBER, 2005.

P.C.:

1. After hearing the matter for quite some time, the following order is passed by consent.

ORDER

i. The petitioners are hereby allowed to withdraw the petition with liberty to file an appeal before the D.R.T., within a period of two weeks from today.

ii. In the meanwhile, the petitioners property in question shall not be auctioned by the respondent Bank for a period of three weeks from today.

iii. Thereafter, question regarding any interim arrangement shall be determined by the D.R.T. by such interim orders as may be passed.

iv. The D.R.T. shall decide the matter on its merits without being influenced by any observations made earlier. All questions are left open.

2. Petition disposed of.

DT.12.09.05 (S.A.BOBDE,J)